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C O N F I D E N T I A L SECTION 01 OF 04 BAKU 001777

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SUBJECT: AZERBAIJAN: PRESIDENT ALIYEV ON ANS TV STATION,
POLITICAL REFORM

REF: BAKU 1771

Classified By: Ambassador Anne. E. Derse, Reasons 1.4 (b,d)

¶1. (C) SUMMARY: President Aliyev said on December 5 that he had instructed his government to "find a solution" to the ANS problem, but added that ANS had to "act with respect" and realize it was not above the law. To facilitate a solution, he bruited the possibility of postponing the recently announced tender for the frequency on which ANS had been broadcasting. Speaking about the political opposition, he said the personal animus of discredited long-time oppositionists had personalized the political process, that this personal hostility was the only factor driving the political opposition, and that he could not reform the political process "unilaterally" without opposition support. Saying that "we have no political process, actually," Aliyev said he fully supports dialogue and consensus on national objectives for political and economic development, and that he is open for normalizing relations with the opposition. As such, he asked for US help in "developing these political processes" in Azerbaijan. END SUMMARY.

¶2. (C) On December 5 the Ambassador met with President Aliyev and discussed both press freedom and energy issues (reftel). Energyoff was notetaker.

ANS

¶3. (C) The Ambassador said that President Aliyev should understand the USG's "shock and dismay" at the closing of ANS, and said that the USG is looking to President Aliyev to live up to his words when he previously told the Ambassador that he would "find a way out" of this crisis. She said that the US has a very strong interest in seeing the growth and development of democratic institutions in Azerbaijan, which was one reason why Assistant Secretary of State for Democracy, Human Rights and Labor Barry Lowenkron would travel to Baku later this month to meet with him. She said the USG would continue to follow the ANS situation with great concern.

¶4. (C) Aliyev said he understood her concern and, as he said both in their previous conversation and in his television interview, was trying to find a way out. However, Aliyev said that respect for law was the issue at hand. "No one was untouchable. ANS had ignored long-term requests. If they behave in accordance with the law, all problems would be solved," Aliyev said. Aliyev added that he "would not tolerate media dictates - we are building a country, where laws must be obeyed." State rules and regulations apply to media in all countries: for example, in Turkey if a TV

station acts contrary to regulations it is shut down immediately, with no one raising a fuss. The NTRC decision was a "tough" one, but "based on information he had received," it was justified. He said he had instructed his office to work with the NTRC to eliminate shortcomings. There should be negotiations with ANS to solve the issue.

15. (C) The Ambassador said that the Embassy had heard from both sides in the ANS dispute, that ANS believed it had answered all government demands and claimed the license revocation was not justified. Aliyev said that he personally had no problem with ANS and did not want to see it closed. But ANS' leaders must have a clear understanding that they are living in a state. They had been warned almost ten times, had ignored these warnings, and had not even come to the NTRC to talk about the issue. In response to the Ambassador's point that many in Azerbaijan were calling for ANS to be allowed back on the air, the President said that the reaction was "normal," and that in general ANS' expectation that its closing would become a 'cause celebre' had not happened, and that its expectation that it was &untouchable" was not borne out by the muted public reaction. Azerbaijan is a state, Aliyev repeated, and ANS needs to "show a respectful approach." The matter has to be solved, and ANS should continue to talk to the NTRC so that the matter could be solved in accordance with the relevant regulations. Aliyev said he had instructed Presidential Advisor Ali Hasanov and Presidential Chief of Staff Ramiz Mehdiyev to support the negotiation process.

16. (C) The Ambassador noted that the government's decision to put the ANS frequency up for tender did not indicate its willingness to solve the problem through negotiations.

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Aliyev said that ANS could participate in the tender, "or we could postpone the tender if that would help" the negotiations. The Ambassador said the tender sent a signal that the government was not trying to find a solution, and that a final decision had been made. Aliyev repeated that there was no effort to try to close down ANS, stating that ANS had never "gone after" him and that he had nothing against ANS. The Ambassador said she hoped Aliyev would support efforts towards a satisfactory solution. Aliyev said he would, but that ANS had to change its attitude. The Ambassador said that other stations were guilty of the same violations as was ANS, that "70 to 80 percent" of the viewing population watched ANS, and that as the country's leading independent broadcaster, it was an "important voice" for many Azerbaijanis. The President disputed ANS' popularity, saying that "although some people watch ANS," according to government surveys most people watched state-owned AzTV. He suggested to the Ambassador that Embassy staff work with Ali Hasanov and Ramiz Mehdiyev to "minimize the negative impact" of this situation. He finished by saying that he had "given strong instructions" that a solution be found. The Ambassador said that she was looking forward to a solution that included the speedy resumption of ANS broadcasting.

Political Opposition

17. (C) Speaking more generally, the Ambassador said that she had heard from voices of Azerbaijan's "independent" media that the media in Azerbaijan was highly politicized, that there was a very small space for independent media, and that the USG had ideas it would like to share about how to open up and broaden this space. A/S Lowenkron may wish to discuss some of these ideas during his visit.

18. (C) Aliyev said the politicization of the media reflects the current tense political situation. "I do not see a national consensus to work on political development." The ruling party and the opposition have no joint approach to addressing big problems in Azerbaijan's political development. He said that when elements within the

opposition support the government or dialogue with government, they are branded as "traitors" by their colleagues. The relationship between the ruling party and the opposition is openly "hostile." The reasons for the opposition's hostility date back to the early 1990s, when they were briefly in power, before losing power due to their inability to solve the nation's problems.

¶9. (C) Aliyev said that today "80 percent of government officials" are new, specialized and apolitical technocrats. There also had been ongoing change in the ruling party, with most new members not having been involved in the 1990s political battles. These people are "open for political cooperation." However, the opposition is composed essentially of holdovers from the 1990s. Aliyev said "the burden of personal feeling from the early 90's does not allow the political process to develop. They (current opposition leaders) do not allow the political process to transform. If a new generation comes to the fore we can start normal communications. But if we try to reach out to establish relations, they say traitors. It is the same with the media. This hostility must be overcome, but how?" Aliyev stated. Commenting that "we have no political process, actually," Aliyev said that if the US "can work on helping to develop these political processes it would be good." He said that he is "absolutely open to dialogue and consensus on national objectives for political and economic development, and open for normalizing" relations with the opposition, but "it seems impossible for today's leaders." The political tension is "reflected in the media, because the media has been instructed to conduct a hostile campaign." He noted heatedly that when in power, the opposition Popular Front Party leadership had beaten current Deputy Speaker of Parliament Aleskerov and "broken his legs," jailed others, and permitted "zero" media freedom -- they imposed censorship."

¶10. (C) Aliyev said that he understood that it is "very important to have a political process, a government, and an opposition." Absent an opposition, the government becomes "lazy, less efficient, and public control is weak." But the US cannot "trust" the current opposition -- "they sent to Moscow on the eve of the election" last year, pledging cooperation in return for support. "You can trust us, we will not let you down," he said. He repeated that there is a need for "new educated people" in Azerbaijan's political life,

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"there are parties that want to work with us, many opposition parties are approaching us for joint work. The policy of the government is we want to work jointly with them on development of the political process. We need it, we don't have it, we have constant clashes." He lamented again that in many other parts "of the former Soviet space, the opposition had been transformed into a civilized European opposition, the old 90's opposition is gone, and a new civilized educated opposition" had arisen, but not in Azerbaijan. Aliyev concluded that he "hopes there will be a normal process as in the US or the EU." He suggested that "we need to work jointly on how to transform hostile relations into a normal political process -- our attempts have all failed."

¶11. (C) Aliyev said that when he ran for President in 2003 and even after he had been elected, he had repeatedly called for a dialogue with the opposition, which it mistakenly took as a sign of weakness. Those in the opposition who participated in dialogue were branded as traitors. He said absent opposition willingness, the ruling party could not reform the political process "unilaterally." He said that there were "no principle ideological differences on political and economic development" between the opposition and the ruling party, who share the same strategic goals: resolving NK, NATO and EU orientation, development of the non-oil sector, improving health, education and infrastructure. But the opposition had been unable to achieve anything while in power, Aliyev maintained. Aliyev said that as the government "becomes even more successful" in achieving these strategic

goals, the opposition's position becomes even weaker, and the personal nature of their opposition becomes more obvious.

¶12. (C) Speaking personally, Aliyev said that a weak, ineffective and discredited opposition was good for him as a politician. "All I have to do is say 'Remember 1992' and I'll be supported," Aliyev said. However, as someone interested in the normal political process developing in Azerbaijan, he wished the opposition were more credible. The "main problem" is that the opposition uses its media outlets to wage a campaign against the government. The Ambassador said that when she had recently met with members of the Editors' Council, they said that they needed to work with the government on media freedom issues; the Ambassador told the editors that she would encourage the government to participate in dialogue and help provide space for the media to grow. Aliyev agreed that there was very little independent media in Azerbaijan, in part because of the absence of sources of independent funding, through, for example, advertising. This required the media to rely on other sources to sustain themselves. He added that in fact few people read newspapers, with the electronic media being much more important in Azerbaijan. The Ambassador agreed and underscored again that this was why the case of ANS, as the country's leading independent broadcaster, was so important.

¶13. (C) The Ambassador said that the US wished to engage constructively with the government to support the common goals of political and economic development articulated during President Aliyev's US visit. Aliyev said that the opposition was in no way "democratic." When they were in power they beat their opponents and put them in prison, and there was censorship and no media freedom. Aliyev added that in terms of Euro Atlantic integration, the opposition would seek to align itself with Russia in exchange for Russian support, and pointed out that the opposition 'Azadliq' newspaper decried USG influence after the most recent Parliament elections. The opposition is uneducated ("they can't even speak Russian"), not to be trusted and are not worthy of consideration. The Ambassador pointed out that the USG supports the democratic process, not the Azerbaijani opposition itself, and that she looked forward to discussing ways to further democratic development during A/S Lowenkron's visit.

¶14. (C) COMMENT: Aliyev's comments illustrate the atmosphere of mistrust and hostility that has dominated relations between the opposition and the GOAJ for the last year following the breakdown of GOAJ-opposition dialogue in the run-up to the November 2005 parliamentary elections. The atmosphere has grown decidedly worse over the last few weeks, as opposition leaders view the GOAJ suspension of ANS TV and simultaneous eviction of the Popular Front Party and several media outlets as the opening salvo in a broad GOAJ move against the multi-party system, and Aliyev views the opposition as driven exclusively by personal political agendas and implacably opposed to working constructively with

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him or with the government. The current generation of opposition leaders -- feckless though they may be at times -- is a legitimate part of Azerbaijan's political process, and Aliyev's and the government's cooperation in establishing the legal framework and political climate and space for development of democratic institutions is key if "evolution" of the political process is to prevail in Azerbaijan. But relations between the government and the opposition are at an impasse.

¶15. (C) COMMENT (CONTINUED): We see little prospect of progress, and indeed every sign that clashes will continue and the situation will worsen, unless the current polarized atmosphere can be defused, a dialogue established and a constructive agenda for progress agreed. Aliyev complains that Azerbaijan does not have a political process; at the same time, his government's heavy-handed moves against the

opposition do little to improve the atmosphere or advance political development. His suggestion that Azerbaijan and the USG &work jointly on how to transform hostile relations into a normal political process, (as) our attempts have all failed⁸ is an opening we need to explore and if possible build on. Political buy-in is needed from all branches of the Azerbaijani government and key political actors, including the opposition, to work to build truly democratic institutions and processes. A/S Lowenkron's visit will provide an important opportunity to begin to explore with President Aliyev and other key actors their willingness and ability to take steps to address the current hostility in Azerbaijan's political landscape and ideas on concrete steps to improve the political process.

DERSE